

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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KIRSTIN BLAISE LOBATO,

Plaintiff,

v.

LAS VEGAS METROPOLITAN POLICE
DEPARTMENT, et al.,

Defendant.

Case No. 2:19-cv-01273-RFB

MINUTES OF THE COURT

DATED: December 9, 2024

THE HONORABLE **RICHARD F. BOULWARE, II.** UNITED STATES DISTRICT JUDGE

DEPUTY CLERK Darci Smith

THE COURT REPORTER Patricia Ganci

COUNSEL FOR PLAINTIFF David Owens, Elizabeth Wang, Megan Pierce, joined at table by the Plaintiff, Kirstin Blaise Lobato

COUNSEL FOR DEFENDANT Craig Anderson and Andrew Yates joined at table by Defendants James LaRochelle and Thomas Thowsen

MINUTES OF PROCEEDINGS: **JURY TRIAL –Day 6**

8:40 a.m. Court in session, above participants in attendance outside the presence of the Jury. The Court and parties discuss trial matters and jurors are returned to the courtroom. Doug Twining, previously sworn, continues under direct examination by Mr. Owens.

9:15 a.m. Court in recess.

9:19 a.m. Court in session, same participants in attendance, Jury members returned to the courtroom; cross examination of Mr Twining, previously sworn, by Mr Anderson. Witness excused.

9:41 a.m. Deposition of Jo Ann Wuori read into the record by Ms Pierce and Ms Gee, with Ms Gee reading the portion on behalf of Ms Wuori.

9:54 a.m. Rebecca Lobato, called forward and sworn, direct examination commences by Mr Owens.

10:25 a.m. Court in recess.

**2:19-cv-01973 Lobato v LVMPD, et al.,
Jury Trial**

10:33 a.m. Court in session; jury members return to Court; Mrs. R Lobato, previously sworn, resumes the witness stand for **continuation of direct** by Mr. Owens. Exhibits 155.07 offered and received; cross examination by Mr Anderson. Witness excused.

11:37 a.m. Deposition of Dixie Tienken read into the record by Ms Pierce, Mr Anderson and Ms Gee, with Ms Gee reading the portion on behalf of Dixie Tienken. Jury released to return at 1:10 p.m. for a 1:15 start time.

12:07 p.m. Court in recess.

1:21 p.m. Court in session; Jury members return to the courtroom, Lorenzo (Larry) Lobato called forward and sworn; direct examination commences by Mr Owens; Exhibit 155.1 and 155.46 offered and received. After a brief sidebar, the direct examination of Mr Lobato continues.

2:26 p.m. Court in recess

2:42 p.m. Court in session; Mr Lobato, previously sworn, resumes the stand for cross examination by Mr Anderson; re-direct by Mr Owens; brief sidebar; re-direct continues by Mr Owens. Witness excused. Plaintiff's rest.

3:10 p.m. Jurors excused for the remainder of the day, to return on 12/10/2024 at 8:45 a.m. for a 9:00 a.m. start time.

3:11 p.m. The Defendants make their Rule 50(a) Motion for Judgment as a Matter of Law – The Court hears from parties as to the issue. For reasons state on the record, incorporated by reference herein, the Rule 50(a) Motion is DENIED. The Court will not issue a separate written ruling. The instant minutes of proceedings and minute order(s), which incorporate by reference the transcript of the hearing and the reasoning therein, shall serve as the final order of the Court. The Court and parties discuss additional trial matters.

Parties shall exchange slides for closings and advise the Court by 10:00 p.m. this evening of any objections. Counsel to report at 8:45 for a 9:00 a.m. start time.

4:23 p.m. Court in recess.

**DEBRA K. KEMPI, CLERK
U.S. DISTRICT COURT**

BY: Darci Smith
Darci Smith, Deputy Clerk